

Appl. No. : 10/663,374  
Filed : September 16, 2003

#### REMARKS

In the Office Action, the Examiner rejects Claims 3 and 4 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner indicates that the limitation of "the transfer units" in the last two lines of the claim lacks sufficient antecedent basis for the limitation. The Applicant thanks the Examiner for noting this discrepancy and hereby amends Claim 3 to properly introduce "at least two transfer units".

The Examiner also rejects Claims 3, 4, 7, and 8 also rejects claims 3, 4, 7, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Herbst (U.S. Patent No. 6,471,505) in view of Schilke (U.S. Patent No. 4,544,519) and further in view of Cress et al. (U.S. Patent No. 4,121,402). The Applicant has carefully reviewed the Herbst '505, Schilke '519, and the Cress et al. '404 references. The Applicant respectfully notes that Herbst teaches several embodiments of a handling system for a plastic material injection molding machine. In the various embodiments, a piston and cylinder unit 56 or 81 extends and retracts to pivot a transfer plate 41 or 61 between a position engaging with a mold and a transfer position. While the Herbst reference indicates that the Herbst device can be utilized in connection with other types of such machines, for example when those machines are equipped with a stack mold or other types of mold, the Herbst reference provides no detailed illustration or description on how such devices might be configured. The Applicant notes however that Herbst fails at least to disclose or suggest "at least two transfer unit arranged offset in relation to one another and which take over removed injection molded parts from the arms of the removal device; and at least two conveying paths which lie next to each other and are assigned to the transfer units" (Claim 3 as currently amended). The Applicant further notes that Herbst fails to teach or suggest "wherein the removal device is movable into a first transfer position in which the injected molded parts from one group of arms are deposited by a first transfer unit on a first conveying path and further movable into at least a second transfer position in which the injected molded parts from a further group of arms are deposited by a second transfer unit on a second conveying path" (Claim 3 as currently amended). In addition, the Applicant notes that Herbst fails to teach or suggest

"An injection-moulding machine with a handling system for injection-moulded parts, comprising:

a multi-daylight mould with more than two parting planes between a number of mould halves;

a removal device comprising a number of arms corresponding to the number of parting planes of the multi-daylight mould;

at least two transfer units arranged offset in relation to one another and which take over removed injection moulded parts from the arms of the removal device; and

at least two conveying paths arranged adjacent one another and which are assigned to the transfer units wherein the removal device is adapted to move to a removal position, wherein the injection-moulded parts are taken from the mould, and to transfer positions, whereat the individual transfer units transfer respective injection moulded parts to a respective allocated conveying path. (New Claim 10)

With respect to the Schilke reference, the Applicant notes that a molding machine for producing footwear soles is disclosed including a pair of opposed conveyors for conveying the soles 16 away from the machine for further processing or packaging. The Applicant respectfully notes however that the pair of conveyors 20 in the Schilke '519 reference are positioned opposite from each other, e.g., on opposite sides of the molding machinery. The conveyors of Schilke clearly do not "lie next to one another" or "arranged adjacent one another" as in Claim 3 as currently amended or in new Claim 10. Schilke also fails to disclose "wherein the removal device is movable into a first transfer position, in which the injected molded parts from one group of arms are deposited by a first transfer unit on a first conveying path and further movable into at least a second transfer position, in which the injected molded parts from a further group of arms are deposited by a second transfer unit on a second conveying path" (Claim 3 as currently amended). Schilke also fails to disclose that "the removal device is adapted to move to a removal position, wherein the injected molded parts are taken from the mold and to transfer positions whereat the individual transfer units transfer respective injection molded parts to a respective allocated conveying path" (New Claim 10).

With respect to the Cress et al. reference, while Cress discloses multiple transfer plates, Cress fails to disclose at least certain other aspects of the Applicant's invention as discussed above with reference to Schilke and Herbst.

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#### SUMMARY

From the forgoing, the Applicant believes that the subject application as currently amended complies with the requirements of 35 U.S.C. § 112, second paragraph and does distinctly claim the subject matter which the Applicant regards as the invention. Further, the Applicant believes that the application as currently amended is patentably distinct over the combined disclosures of Herbst, Schilke, and Cress et al. taken independently or in any possible combination as well as over the art of record. The Applicant thus believes that the subject application is now in a condition ready for allowance. The Applicant respectfully requests prompt issuance of a Notice of Allowability, however, should there remain any further impediments to the allowance of this application that might be resolved by a telephone conference, the Examiner is respectfully requested to contact the Applicant undersigned representative.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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